

1 Marc J. Randazza, (NV Bar No. 12265)  
2 Ronald D. Green (NV Bar No. 7360)  
3 Alex J. Shepard, (NV Bar No. 13582)  
4 RANDAZZA LEGAL GROUP, PLLC  
5 2764 Lake Sahara Drive, Suite 109  
Las Vegas, NV 89117  
Telephone: 702-420-2001  
ecf@randazza.com

*Attorneys for Defendants,  
Stephen Fairfax and MTechnology*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SWITCH, LTD.,  
a Nevada limited liability company,  
Plaintiff.

VS.

STEPHEN FAIRFAX; MTECHNOLOGY;  
DOES 1 through 10; and ROE ENTITITIES  
11 through 20, inclusive.

## Defendants.

Case No. 2:17-cv-02651-GMN-VCF

## JOINT STATUS REPORT

Plaintiff Switch, Ltd. (“Switch”) and Defendants Stephen Fairfax and MTechnology (“MTech”), by and through their counsel, submit the following joint status report as required by the Order of this Court dated February 1, 2019 (ECF # 40).

Pursuant to the stipulation of the parties, the Court stayed this case on February 1, 2019 to allow the parties to engage in informal electronic discovery in an effort to settle this dispute without engaging in litigation. The Court's Order additionally required the parties to file a joint status report every 45 days from the date of the Order to update the Court on their progress and to demonstrate that the stay should remain in effect.

In accord with that Order, the parties report that the stay currently should remain in effect, as demonstrated by the following activity that has occurred since the parties' prior status report:

1       1. The parties identified a nationally renowned e-discovery provider and have had  
2 several conference calls with representatives for the provider to discuss the procedure and logistics  
3 of data collection.

4       2. The parties have engaged in conversations with the in-house counsel for the e-  
5 discovery provider to address how data collection and review would proceed in the absence of  
6 Court supervision.

7       3. Plaintiff's counsel provided Defendants' counsel a list of proposed keywords for  
8 the data collection, and Defendants' counsel commented upon the proposed list. Plaintiff's counsel  
9 has represented that it will have a revised list for Defendants' review during the week of May 6,  
10 2019, along with the remaining documents Plaintiff has agreed to provide prior to the data  
11 collection.

12       4. Plaintiff's counsel, Defendants' counsel, and the e-discovery provider have  
13 exchanged drafts of the agreement between the parties and the e-discovery provider.

14       5. Plaintiff's counsel and Defendants' counsel have exchanged drafts of a  
15 confidentiality agreement, which will be executed prior to the data collection.

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1 As in their prior Joint Status Report, the parties acknowledge that this process has taken  
2 longer than expected. This is largely because of the unique nature of the process. Not only is the  
3 information to be collected very sensitive, but the e-discovery provider is requiring additional  
4 documentation since this data collection is outside of the purview of the Court. The parties continue  
5 to work in good faith with the e-discovery provider and are making every effort to ensure that the  
6 process is completed during the stay. The parties respectfully request that the stay remain in effect.

7  
8 RANDAZZA LEGAL GROUP, PLLC

9 /s/Ronald D. Green

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12 Alex J. Shepard, NV Bar # 13582

13 RANDAZZA LEGAL GROUP, PLLC

14 2764 Lake Sahara Drive, Suite 109

15 Las Vegas, NV 89117

16 *Attorneys for Defendants,  
17 Stephen Fairfax and MTechnology*

18 WEIDE & MILLER, LTD.

19 /s/ F. Christopher Austin

20 F. Christopher Austin, Esq.

21 Ryan Gile, Esq.

22 10655 Park Run Drive, Suite 100

23 Las Vegas, Nevada 89144

24 <caustin@weidemiller.com>

25 <rgile@weidemiller.com>

26 Attorneys for Plaintiff,

27 Switch, Ltd

1 Case No. 2:17-cv-02651-GMN-VCF

2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY that on May 2, 2019, I electronically filed the foregoing document  
4 with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the  
5 foregoing document being served via transmission of Notices of Electronic Filing generated by  
6 CM/ECF.

7 Respectfully Submitted,

8 /s/ Heather Ebert  
9 Employee,  
Randazza Legal Group

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